

IN SENATE OF THE UNITED STATES.

JANUARY 24, 1848.

Submitted, and ordered to be printed.

Mr. BREESE made the following

REPORT:

[To accompany bill S. No. 95.]

The Committee on Public Lands, to whom was referred the bill granting to the State of Illinois the right of way, and a donation of public lands for making a railroad connecting the upper and lower Mississippi with the chain of northern lakes, at Chicago, have given it the most careful examination, and respectfully ask leave to report:

That the bill proposes to grant to the State of Illinois, for the purpose of aiding that State in completing the railroad from Chicago, on Lake Michigan, to the upper Mississippi, on the most eligible route, a quantity of land equal to one-half of six sections in width, on each side of the road, to be selected in alternate sections or parts of sections, by an agent to be appointed by the governor of the State, but subject to the approval of the Secretary of the Treasury; but, if any of the sections or parts of sections within those limits, have been heretofore sold, or otherwise disposed of by the United States so that they cannot be applied, then power is given to the State to locate the like quantity elsewhere within twenty miles on each side of the road.

The bill further proposes to grant to the State an equal quantity of the public land, to be selected in the same manner, to aid in completing the Central Railroad therein, extending from Cairo to Chicago, on the most eligible route, with the privilege, if the quantity cannot be had within six miles on each side of this road, that the deficiency shall be supplied by selections within twenty miles on each side of it, all subject to the approval of the Secretary of the Treasury; and, as alternate sections only are proposed to be granted, the bill provides that those sections and parts of sections, which remain to the United States, shall not be sold for less than double the minimum price of the lands when sold.

The bill further provides, that these lands shall be applied to those uses by the State, and none other; and that the railroad shall be a public highway for the use of the government of the United

States, free from toll or other charge upon any cars or carriages the government may place upon them, and upon the transportation of any property or troops of the United States.

If the road shall not be completed within fifteen years, it is provided that the State of Illinois shall be bound to pay to the United States the amount which may be received upon the sale of any part of the lands by the State, the title of the purchasers under the State remaining valid; and, that before it shall be competent for the State to dispose of any of the lands to be selected, a plat or plats of the courses, distances, and points of termination of the roads, shall be furnished by the State to the Commissioner of the General Land Office.

The bill further proposes to authorize the State to survey and mark through the public lands the routes of these roads, and to vest in the State, forever, one hundred feet for a road-way for each road, and twenty-five feet, in addition, on both sides of each road respectively; and the last section provides that no lands reserved for schools, or for military or other purposes, or mineral lands, or lands to which the right of pre-emption has attached, shall be selected.

This is a full synopsis of the bill; and it will be perceived, that although two roads are mentioned, they, in fact, constitute but one great chain of connexion of the upper Mississippi with the northern lakes and lower Mississippi, leaving the point of termination on the upper river undefined.

The committee would state that, before the reference of this bill to their consideration, another bill, having the same objects in view, had been referred, proposing to grant only the right of way through the public lands from Cairo, by points named in the bill, following as near as may be the line of the fourth principal meridian, to the termination of the Illinois and Michigan canal, and thence to Galena, on the upper Mississippi, a connexion being formed at the canal with the northern lakes; and that Congress should grant to the State, for a term not to exceed ten years, the *right of pre-emption only* to each alternate section of land for six miles on each side of the route of the road. This road, the committee are informed, occupied the most prominent place in the system of internal improvements which that State commenced on her own resources in 1837, and on which she has expended in clearing out the track, in grading, and embankments, more than one million of dollars, and has looked forward to its completion, should Congress bestow the aid sought, with confidence.

Another phase is presented to the measure by several memorials also referred to the committee, one of them signed by the governor and all the public functionaries of the State of Illinois, and by persons representing themselves as members of a convention assembled to amend the constitution of that State, and the others numerous signed by citizens in different parts of the State, all praying that the right of pre-emption to these lands may be granted to the "Great Central Railway Company," a body corporate created by the Legislature of that State in the year 1843, by an act of that date, now

before the committee. This act provides for an estimate of the value of all the work done on the road by the State; also, of all lands, materials, and rights of way owned by her, to be paid for by the company in the bonds or other indebtedness of the State; and after the company shall have refunded all moneys borrowed to construct the road, and extinguished all their indebtedness, then they are required to pay into the State treasury one-fourth part of the whole net income annually received from the road.

The memorialists present a most flattering view of the importance of this road to the individual citizen, to the State of Illinois, and to the United States, and speak with great confidence that, if the grant is made, the work will be speedily undertaken and completed.

The present bill, as is seen, proposes to form a more direct connexion with the northern lakes at the great mart of the commerce of Illinois, the city of Chicago, now containing a population of 17,000, and rapidly increasing, and thence, "on the most eligible route," to a point not designated, on the upper Mississippi; leaving it to the Legislature of the State to determine what that point shall be should a more proper one than Galena be hereafter indicated.

This road, proceeding north from Cairo, will probably occupy the present line of the Central Railroad, on which so much money has been expended by the State, as already stated, and deflecting at a proper point, instead of touching the termination of the canal, will proceed to Chicago, thence, as before stated, on the most eligible route to a point on the upper Mississippi river.

The entire length of these roads, thus united, will not exceed five hundred miles; and for six miles on each side of them, it is proposed to grant to the State of Illinois, to aid in their construction, each alternate section of land, amounting in the whole distance to 1,320,000 acres; and if that quantity cannot be found vacant in that extent, then to supply the deficiency by taking the quantity from vacant lands by alternate sections within a scope of twenty miles on each side of the roads.

The committee have considered these several propositions together, and will give briefly their views of each, and the results to which they have arrived.

By the bill first referred to, it is proposed to grant to *the State* the right of pre-emption to the lands, the right to purchase them of the United States in preference to all others, and to pay for them at intervals during the progress and completion of the work, and the whole to be paid for in ten years.

As between the two propositions, a grant to the State of this right, or to a company, the committee are decidedly in favor of the former, for the reason, among others which might be stated, that it is more in accordance with the previous action of Congress in such cases. The committee have examined that action, and can find no instance wherein such a grant has been made to a company, and none, save this, where such an application has been made. There is in the United States a jealousy of corporations—of bodies of men

for the most part wholly irresponsible, possessed of exclusive privileges, and clothed with power and influence in proportion to the magnitude of the objects contemplated by such associations; and in view of this, and out of a proper regard for it, the committee are unwilling, however highly they may approve the objects sought to be attained, to bestow upon a chartered company a privilege denied to individuals—one which, if granted, may be greatly abused, and which might give just cause for great public dissatisfaction and wide-spread complaint.

Disposing of this point, the committee have authentic information in their possession, derived from official documents of that State, that she has already raised upon her own credit more than five millions of dollars, which she has expended upon the projected railroads, and for which she is now a debtor; on which she has been for years, as is well known—and to her high praise it is said—exerting all her energies to meet the yearly accruing interest.

Under these circumstances, the committee, without however pretending to a knowledge of the present and future capabilities of the State, with great deference express the opinion, that she may not be enabled to avail herself of the privilege proposed by the bill, and thereby a great work, one of the highest importance to her and to her citizens, and to the country at large, may not be accomplished; and, in the meantime, a large body of the public lands will be withheld for many years from sale and settlement, and at a time, too, when money is most needed for the now vast and expanded operations of the government, and when the State itself has a direct interest in their speedy sale and settlement.

The bill last referred to, and which is the immediate subject of this report, contemplates, as has been stated, an absolute grant of land to the State from the proceeds of which the roads in question may be made. This is a very important proposition, inasmuch as it embraces a donation of 1,320,000 acres of land; and it is necessary, before it can receive the assent of Congress, that it should be shown the works are important; that the interests of the United States will be advanced by their construction, as well as those of the State; and that no provision of the Constitution will be violated by making the grants. The importance of the works, the probable benefits to be derived to the United States and the State from the grant, and the power to make the grant, should be satisfactorily established.

The committee believe that these several propositions can be successfully maintained.

And, first, as to the importance of the roads.

It will be seen, by an inspection of the map of Illinois, that the Central Railroad, so called, commences at one of the most remarkable points on the globe—the confluence of the Ohio with the mighty Mississippi—a spot to which all the great rivers of the west converge as to a centre, and where most of the commerce borne on their bosoms must pass on its way to the ocean, or from State to State—whether from the Missouri or upper Mississippi, the Wabash or the Ohio, the Cumberland or the Tennessee. It is

far enough north to avoid the fevers and discomforts of a southern climate, and far enough south to avoid the frost, which, during a portion of each winter, binds in fetters their giant streams. Nature has marked it as the centre of commerce for a vast country, if not a seat of empire.

There terminate the valleys of the Tennessee and the Cumberland, which come down from the south as if to meet their kindred streams from the north; of the Ohio, from the east, which throws its branches to the Alleghany mountains on the one side, and almost to the borders of the lakes on the other; of the upper Mississippi, which descends almost from the Frozen sea of the north; of the Missouri, with numerous branches stretching to the Rocky mountains in the west—and, where the waters of their thousand streams uniting, form a canal to the ocean on which navies may ride. To this point, a boat ascending from New Orleans may take freight, whether destined for St. Louis, or Pittsburg; a boat descending from Pittsburg, may, in like manner, take freight to it, whether destined for New Orleans or St. Louis; as, also, may a boat from St. Louis, whether destined for New Orleans or Pittsburg; thus introducing a competition which would reduce freights to the lowest point—a result equally beneficial to the government and to the consumer, and the farmer especially.

There is another consideration which gives importance to this spot. During a considerable portion of the year, in consequence of low water, the trade on the rivers above, especially the Ohio, the Cumberland, and the Tennessee, is carried on in small boats not well adapted to the navigation of the lower Mississippi. These would keep up the trade between this point and the States above on all the rivers, comprising three-fourths of Tennessee and a portion of north Alabama, of all Kentucky, of a part of Virginia, Pennsylvania, and New York, of most of Ohio, Indiana, Illinois, Missouri, Iowa, the northwest Territory, and part of Wisconsin, and bringing down from them small freights for the New Orleans market, which, accumulating there, would be taken down the Mississippi in larger boats engaged in that trade. Indeed, while the rivers above are low or obstructed with ice, the mouth of the Ohio has many of the advantages of a seaport; for there, as the committee are informed, the great rivers never freeze over; and if ever obstructed by running ice, it is but for a few days. This, too, seems to be the point at which the flat-boats and small craft—vast in number, and conveying an immense amount of the most valuable productions of the soil—descending the Tennessee, the Cumberland, the Wabash, the Ohio, and the upper Mississippi, will find it most convenient and profitable to discharge their cargoes and break up and return.

The committee on internal improvements, of the senate of Illinois, submitted a report on the Central Railroad on the 11th of January, 1841, from which your committee make this extract, relating to this site:

“ Located at the point where the vast waters of the Ohio and Mississippi mingle in their onward course to the ocean, the city of

Cairo possesses the advantages of commercial position which few cities of the earth can rival."

It is said, however, that this spot, so favorably placed by nature in many respects, cannot be made habitable because of its inundation by the overflow of the adjacent rivers, and the want of solidity of its banks.

The committee have examined documents submitted to them on this point—the report of Mr. Strickland, a celebrated architect of Philadelphia, and of Mr. R. C. Taylor, a geologist of reputation, who examined it, with express reference to it. They concur in saying that the texture and solidity of its banks is such as to sustain any weight of buildings that may be placed upon them, and from the letter of one of your committee, addressed to the Committee on Naval Affairs, in February, 1844, and printed by order of the Senate, it would appear that the usual inundations had been sufficiently guarded against by a levee rising four feet above the highest floods, constructed on the Ohio river front, by hauling the earth back, thus graduating the bank from low water to the top of the levee, and forming a good landing or harbor. This, being on the Ohio, is represented as very capacious, with a current in the river of only one mile an hour, and safe for vessels and craft of every description.

In this combination of favorable circumstances, the committee cannot doubt that, should the proposed road, starting at this point, penetrating the interior of the most fertile State in the Union, and linking it with the northern lakes, whose commerce, derived from agricultural products, is now so vast as to be told in millions, and with the upper Mississippi, at the centre of a most inexhaustible lead region, be completed, that those productions, in the winter season certainly, would here seek an outlet, and force up a city not to be surpassed by any other upon the majestic rivers which flow by it. It will give the producers and exporters a choice of markets in the summer season, and the only one that is accessible to them in winter—at a season when, in the southern market, they will have less competition from the States bordering on frozen rivers—thus enabling them to sell their products at a higher price; and from the want of purchasers of the necessary articles of consumption, arising from the same want of competition, they will be enabled to buy them at the cheapest price. Making this road will be like opening a new river from the north to the south, on which, without the danger of snags and sand-bars, and with no obstruction from ice, the farmers of the north, at the season of highest prices, can take their products to one of the best markets of the world in the shortest time, and receive for their labor the most speedy return.

From the greater certainty, speed and comfort of railroad conveyance, over that by steamboats on the western rivers in low water, the committee believe it cannot fail to become, in the warm months, an important part of the great highway between the southwest and the lakes or by the railroads across the peninsula of Michigan, and through those of Canada now in progress, to the

towns and cities on the St. Lawrence, and to the Atlantic cities. Already, as the committee are informed, a large portion of this travel to the cities and watering places of the north go by way of the lakes; by the completion of this road, increasing as it will its comfort and lessening the time occupied, the proportion of those who, for comfort, health or pleasure, prefer a northern route, will greatly increase.

The effect of all this, the committee believe, will be, not to break up the trade and travel upon the rivers at the proper seasons, but to increase it—for it is a fact often demonstrated, that the more you increase the facilities for trade and travel, the more trade and travel is increased. It is estimated by those who have given the subject attention, that such is the extraordinary and rapid growth of the country in all its varied interests, business and pursuits, and such the stirring enterprise of our citizens, that, upon the large thoroughfares of transit and commerce, the number of passengers doubles in every period of eight years, thus in that time requiring an equal increase of its facilities. In view, also, of its connexion with the city of Charleston by their railroad, soon to reach Nashville—distant from Cairo not more than one hundred and ten miles—the sphere of its usefulness will be greatly enlarged, as another desirable market will be opened thereby. This, your committee believe, is a most important connexion, as the most profitable trade between these regions, consisting in the exchange of the productions of the north with the great staples of the south, would at once spring up, and increase to an enormous extent.

The western extension of the road from Chicago, on the most eligible route to the upper Mississippi, is also important, in the judgment of your committee, even should it not terminate at Galena, but at any other favorable point on that river. The argument in favor of Galena is, that the route of the road, through its whole extent, is for the most part over gently undulating prairie, requiring no expensive grading, or other works which tend so greatly to increase the cost, and with a soil fertile in the highest degree still vacant, and represented to be, in addition to its mineral wealth, one of the best wheat growing countries in the world.

A few years since, what is now the most populous and most productive part of the State of Illinois, and through which this road is projected, was reposing in the silence of nature, unbroken by the sounds of industry, and unvisited but by its savage owner. Now it teems with life and activity, and its products are sent forth to supply the exhausted granaries of Europe and of Asia. From authentic statistics before your committee, it will be seen that the northern tier of counties, most directly interested in the construction of the road, has increased in population in the last twelve years on a basis of fifteen thousand to one hundred and fifty thousand, or one thousand per cent., and is progressing in the same astonishing ratio. In them, the production of wheat had increased in the last seven years from 500,000 to near 3,000,000 of bushels, of which, near 2,000,000 were exported at a cost averaging twenty-five cents a bushel—the trans-

portation to the point of export being in wagons, and distant one hundred and more miles. For several years past, an amount equal to fifty-five millions of pounds of lead has been annually shipped from Galena, a city of six thousand inhabitants, and the great lead depot of the west, by the Mississippi, for the eastern markets, a channel of trade obstructed in the summer by low water, and in winter occluded by ice. The most of this indispensable material, in peace and in war, it is believed, should the road be made, would find a cheaper and more expeditious channel by it and the lakes to the great markets of the Atlantic sea-boards; for whilst, by New Orleans to New York, the freight per 100 pounds is seventy-one cents, by the roads and lakes it would be but fifty-six cents, and, as the dangers of lake navigation and of railroads are less than by the rivers, the insurance would be less.

The point on the lake, at which the desired connexion is to be effected—the city of Chicago—has grown to its present size since 1830. Then it was an advanced military position with a stockade, now containing seventeen thousand inhabitants, and commanding by its enviable position at the head of lake Michigan a vast extent of territory. The time cannot be distant when the extent and high improvement of the country southwest, west, and north of it, with this proposed connexion with the lower Mississippi, never to be interrupted, and with the east by the railroads now in progress, will place it first of the great cities growing and to grow up in the lake region. Its imports are of the value of \$2,641,852 annually; and its exports to the value of \$2,296,299, and greatly increasing, whilst the steamboats and other vessels employed in the trade of that port show a tonnage of 44,745 tons; still further to be increased to a degree, not to be limited, when this communication with the lower Mississippi shall be opened. The whole route of the road from its commencement at Cairo, to its termination on the upper Mississippi, your committee are informed passes through a region which for salubrity of climate, beauty of landscape, mineral wealth, extent of coal-fields, and agricultural resources, may challenge the world.

The committee have thought it necessary to glance only at these topics, as furnishing some evidence of the importance of the work to accommodate a trade now so great, and giving every promise of a most rapid increase.

The next proposition is, will the construction of the road benefit the State and the United States?

The committee are of opinion that, in addition to the benefits above alluded to as likely to result from this work, another very important one cannot but flow from it, growing out of the sale and settlement of the land through which it will pass, and in this the interests of the United States and of the State are in perfect harmony.

By a statement from the General Land Office, hereto appended, (A,) and furnished the committee a few days since, it appears there are, within six miles of the route of the road from Cairo to Chicago, of vacant lands, nearly one half of which is

destitute of timber, 1,746,415 acres, more than half of which has been in market subject to private entry thirty years, and the whole an average of twenty-two years. On the line from Chicago to Galena, there are 367,580 acres of vacant land, more than one half of which is alike destitute of timber, and has been in market seven years, showing in all, on the whole route, 2,113,995 acres, more than half prairie, and in market eighteen years on an average.

Thus, it will be seen that quite one-half of the whole has been subject to entry more than a quarter of a century; and, being destitute of timber, and remote from cheap and ready means of conveyance to market, are unsaleable, and, in all probability, unless some stimulus is given to their sale by some such means as the bill proposes they will remain so for many years to come; and such, too, will be the condition of the additional millions of acres twenty and thirty miles from the road. The routes are through, for the most part, vast prairies—one of them more than two hundred miles in length, with a breadth varying from five to thirty miles, and of the most fertile soil. In this wide waste the United States have an interest amounting to millions, but which can never be realized until some artificial means shall be employed to supply the deficiencies of nature, by which they can be made saleable and become fit for settlement. Such a thoroughfare through it as the bill proposes, will be the means to accomplish an end so desirable; for, by it, it is very certain a powerful inducement will be presented to the purchase of those reserved by the bill to the United States, the benefits of which, in a money view, will wholly accrue to the United States; and, as their price is raised by the bill to double the present minimum, the United States, will in the end, receive the same amount of money for the reserved half that they would for the whole, if the sale of the whole could be effected at the minimum price.

The committee do not remark upon the advantages which would be derived to the United States at all times, by the safe and speedy transportation of the mail; and, in time of war, in the rapid movement of troops and munitions of war; they being so obvious as to arrest the attention of every one, by the construction of the road proposed. The navigation from the mouth of the Ohio to the southwest being uninterrupted at all times, there will be regular lines of steamboats from it to New Orleans, and connecting there with regular trains of cars upon the road, the government may obtain a most rapid, cheap, and certain conveyance of the mails from that great emporium to the towns and cities growing up, as if by magic, in the intermediate country and on the lakes.

In relation to military movements, its use can be well appreciated now. How much more vigorously could the present war be prosecuted, if such rapid means of travelling as railroads afford were now available? By the road proposed, a large military force could be sent down promptly from Illinois and the adjacent States, whose gallant sons are ever ready to support their country's eagles on the battle field, when the descent of levies from the States

on the Ohio and upper Mississippi may be delayed by low water or by ice. The benefit, then, to the United States to flow from this grant, assuming that the road is made, is to the committee quite apparent and substantial—to the State itself, besides those already glanced at, essential benefit would be derived; for, as the lands now are not susceptible of settlement and cultivation, they yield nothing in the way of taxes to support the State government, or to pay its debts. This is a loss to the State which could be avoided by the measure proposed, and should, in the opinion of the committee, have its influence in the adoption of it or any other like measure, which, without being injurious to the United States, will benefit the State.

The next question considered by the committee is—has Congress the constitutional power to make the grant of the lands for the purposes embraced by the bill?

In the decision of this, the committee have no difficulty.

Repudiating the idea that Congress can, with or without the consent of the States, appropriate the ordinary revenues of the country to the construction of roads or canals within them, the committee at the same time believe they can appropriate the public lands for such purposes to the States in which they are situated, and that this power results from the power to own them, which latter has never been authoritatively questioned, however doubtful it may be found on examination. They are “territory,” and admitting the power to own them, Congress has express power delegated to it by the States “to dispose of” them. What shall be a proper disposal of them under this power, is a question solely in the discretion of Congress, in subjection only to the declaration of the trust with which their cession to the United States was accompanied. What was that declaration?

That the lands so ceded “shall be formed into distinct republican States,” and “shall be considered as a common fund for the use and benefit of all the States, and shall be faithfully and bona fide disposed of for that purpose, and no other.”

The very first act of any importance performed by the United States, under this trust, so called, was to pledge these lands for the payment of the revolutionary debt, and that was considered a proper disposal of them for the common benefit of all the States. What is the disposal of them for the common benefit of all the States, is a question for Congress, in which all the States are represented, to decide. The receipt of money for them, is not necessarily a common benefit to all the States, for there are other varied and multiplied considerations which may, consistently with a proper appreciation of, and a sacred regard to, the common benefit, control the action of Congress in their disposal, in which money need not be an element. Congress may convey the title to all of them to the States in which they are situate, if in its judgment the common interest would be promoted thereby. It is a proper question for Congress to determine, in the honest execution of the trust, if the common benefit, under a certain state of circumstances, would not be best promoted by an unconditional ces-

sion of all the lands to the States in which they lie. A direct pecuniary gain is not a necessary element. Whilst they were pledged for the payment of the debts of the revolution, the Congress of the confederation gave frequent evidence of their views of their power under the trust, the correctness of which has never been questioned, by granting for religious purposes one section of land in each township within the boundaries of the several tracts of land sold to the Ohio company and to John Cleves Symmes. In 1788, a grant was made of ten thousand acres to the society of the "United Brethren" for the same purpose; in the same year, Congress ceded to Pennsylvania the tract on Lake Erie, known as the "Triangle," which the United States owned by cession from Massachusetts and New York, and made donations to the heads of families of four hundred acres each, distributed by lot to the early settlers of Illinois and Indiana.

After the adoption of the Constitution, in 1796, Congress granted to the French settlers at Galliopolis, 24,000 acres on condition of actual settlement in five years; and to Ebenezer Zane a tract of three miles square for opening a road and constructing bridges and ferries upon it, from Wheeling to Limestone, passing in its entire length through the public lands of the United States. By accepting this trust and pledging the lands for the payment of the revolutionary debt, an obligation of the most imperious nature rested upon Congress to adopt such measures as should tend to make the lands valuable and productive; for, as waste and unappropriated lands, they could contribute but in a very limited degree, in proportion to their extent, to pay the public debt, or promote the common benefit of all the States. These grants tended to open to the view of the enterprising the richness and capabilities of the lands the United States had acquired, and prepared them for sale, settlement, and cultivation by purchasers, who, from various motives, might be attracted to them. No one, it is believed, has ever questioned the power of Congress thus to dispose of the lands.

In more recent times, Congress has granted to the new States formed out of ceded territory a section in each township of six miles square to the inhabitants thereof, for the use of schools. But pecuniary gain to the United States was the ruling motive, for, before the granted section could be useful or available, it became indispensable that the remaining thirty-five sections should be purchased.

Trace the action of Congress still further. In 1802, Congress, in admitting Ohio into the Union as a State, the first formed out of ceded territory, gave the most unequivocal indications of their idea of their powers under the trust, by granting to her one twentieth part of the net proceeds of the sales of all such lands as should be sold within her limits, after a certain period, to be applied to the laying out and making public roads leading from the navigable waters of the Atlantic to the Ohio river, and to the State of Ohio and through the same. It is true this grant was for certain exemptions from the exercise of State power, supposed to be beneficial to the United States; yet who can doubt but that the most

powerful motive operating with Congress was to sell the lands. The approach to Ohio, at that day, was difficult and dangerous, not inviting any but the most hardy, bold, and enterprising men. They only would risk the dangers attendant upon an advance to the fertile grounds beyond the mountains. Their numbers were few, and the quantity of land sold by the government, out of the twenty-five millions of acres it owned in that State, had not exceeded, at that time, 800,000 acres, exclusive of the sale to the Ohio company and to John Cleves Symmes.

Mr. Jefferson, in March, 1806, approved the "act to regulate the laying out and making a road from Cumberland, in the State of Maryland, to the State of Ohio," under this grant.

In 1816, during the administration of Mr. Madison, Congress appropriated \$8,000 to open a common road through the public lands in the territory of Illinois, from the Ohio river to Kaskaskia, near the Mississippi.

On the 15th of May, 1820, Congress passed an act to continue the Cumberland road through the States of Ohio, Indiana, and Illinois, having, on their admission into the Union, previously made the same grants of five per cent. of the net proceeds of the public lands to them for the construction of roads. The title of the act is, "An act to authorize the appointment of commissioners to lay out the road therein mentioned;" and the preamble to it is as follows: "Whereas, by the completion of the Cumberland road from Wheeling, in the State of Virginia, through the States of Ohio, Indiana, and Illinois, the lands of the United States may become more valuable." Ten thousand dollars out of any unappropriated money in the treasury was appropriated for the purpose, and the bill passed the Senate, where it originated, without a division, and the House, by a vote of seventy-four yeas to thirty-five noes. Enhancing the value of the public lands was the object—the means to be used the ordinary revenues of the nation; thus establishing the principle, that being the great land owner, though in trust for the States, the money of the *cestui que trust* could be lawfully used to make the lands valuable by making roads through them. Congress considered if the United States could rightfully own all the lands in those States, they had the same right an individual owner would have, to make them saleable for the common benefit by such improvements upon them. A denial of this right would seem to involve a denial of the right to own them.

The grants to the States of lands for seminaries of learning, for seats of government, for canals and turnpike roads, which have been so often made and under different administrations, are to be referred to the same motive—pecuniary gain—giving away a portion to make the residuum more saleable; and the desired result has been produced, as may be seen in the rapid sales of the public lands since the grants were made, stimulated unquestionably by them. The official reports of the General Land Office show, that up to the close of the past year, there has been received for sales of public lands in Ohio, \$23,608,405; in Indiana, \$20,197,147; and in Illinois, \$18,657,515—making a total of \$62,463,067.

That the common benefit of all the States has been promoted by appropriating from this trust fund to improve it, not only in regard to these moneys paid into the treasury, excluding the direct taxes and duties they who work the lands have also paid, but in respect to the increased strength afforded to the confederacy by the developement of the "great west," outstripping, as it has, the brightest visions of our most sanguine and sagacious statesmen, none will deny.

The committee believe that the policy pursued by Congress, to which they have adverted, has been eminently beneficial to the States of the Union, and has been unaccompanied by the violation of any constitutional provision, but in strict accordance with all of them, and in perfect compliance with its obligations under the trust; and, when it is considered that of the 367,000,000 of acres of land to which the Indian title has been extinguished, 226,000,000 yet remain the property of the United States (much of it remote from timber and from navigable streams,) a very large portion of which has been in market twenty years, they are convinced that the interests of all the States will be best promoted by persevering in this policy. They do not hesitate to recommend liberal grants out of this great residuum to the States in which they are situated, to aid them in constructing great thoroughfares through them, by which they will be made accessible and saleable. They believe it is not a mistaken policy, and if not the best, is far preferable to that other which permits them to remain a mere waste possession, contributing no revenue to the nation nor to the States in which they are. The committee do not believe it is just that these States should construct with their own means such works, when the United States are to be greatly benefitted by them, but that they should contribute aid in proportion to the extent of their interests involved.

On the ground of impartiality too—on the principle of treating the new States alike—the committee think the State of Illinois may fairly claim of Congress the grants proposed in the bill. The dimensions of any one of these States, manifest, in one particular, the extent of the interests of the United States to be benefitted by such grants, and afford some basis for the extent of the grants which they may severally claim. To Ohio, with an area of 39,627 square miles, or 25,361,593 acres, Congress has granted for internal improvements alone, 1,180,192 acres; to Indiana, with 23,411,431 acres, there has been granted for the same purpose, 1,608,404 acres, whilst to Illinois, with 35,235,209 acres, there has been granted for such purposes but 500,000 acres, and the like quantity to all the other new States. Compared with Indiana, Illinois would be entitled to 2,420,740 acres. The bill proposes to grant to her 1,320,000, which, with the 500,000 acres already received, will make a total of 1,820,000 acres. The annexed table (B) will show the quantity of land granted to the new States for all purposes.

The committee, with these views and opinions, report the bill without amendment, and recommend its passage.

A.

Statement showing the probable amount of vacant land subject to private entry, within six miles on each side of a line drawn from Cairo, at the mouth of the Ohio river, in the State of Illinois, to Shelbyville, in said State, and to Chicago; the length of time those lands have been in market; and the proportion of them that is prairie; also, the vacant land subject to entry within six miles on each side of a line drawn from Chicago to Galena; the length of time they have been in market; and the proportion of prairie.

LINE FROM CAIRO TO CHICAGO, VIA SHELBYVILLE, &c.

Land districts.	Amount of vacant land.	Time in market.	Portion prairie.
	<i>Acres.</i>		
Shawneetown.....	402,838	30 years.....	One-thirteenth.
Kaskaskia.....	87,710	31 years.....	One-twentieth.
Vandalia.....	522,270	30 years average.	Three-fifths.
Danville.....	620,770	12 years average.	Five-sixths.
Chicago.....	112,827	12 years average.	Five-sevenths.
Total on this line.....	1,746,415	22 years average	$\frac{887}{1950}$ average.

LINE FROM CHICAGO TO GALENA.

Chicago.....	74,186	7 years average..	Two-thirds.
Dixon.....	293,394	7 years average..	Three-fifths.
Total on this line.....	367,580	7 years average..	19-thirtieths.

SUMMARY.

Total from Cairo to Chicago..	1,746,415	22 years average	$\frac{887}{1950}$
Total from Chicago to Galena.	367,580	7 years average	$\frac{19}{30}$
Aggregate.....	2,113,995	18 years average	$\frac{7}{13}$ nearly.

B.

Table showing the grants of land that have been made to the new States for internal improvements, and for other purposes.

States.	For internal improve- ments.	For salines.	For seats of government and public buildings.	For colleges and semi- naries of learning.	Grants for religious pur- poses.
	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>
Indiana	1,608,404	24,276	2,560	44,080	.....
Michigan	500,000	46,080	13,200	57,951	2,269
Illinois	500,000	121,629	2,560	46,080	.....
Missouri	500,000	46,080	2,449	46,080	.....
Arkansas	500,000	46,080	10,600	46,080	.....
Louisiana	500,000	.....	.....	46,080	.....
Mississippi	500,000	.....	1,280	46,080	.....
Alabama	500,000	23,040	1,620	46,560	.....
Florida .....	.....	.....	160	46,080	.....
Ohio	1,180,192	24,216	.....	69,120	21,450

State	Number of persons in the family	Number of persons in the family	Number of persons in the family	Number of persons in the family	Number of persons in the family
Alabama	1,000	1,000	1,000	1,000	1,000
Arkansas	1,000	1,000	1,000	1,000	1,000
California	1,000	1,000	1,000	1,000	1,000
Colorado	1,000	1,000	1,000	1,000	1,000
Connecticut	1,000	1,000	1,000	1,000	1,000
Delaware	1,000	1,000	1,000	1,000	1,000
Florida	1,000	1,000	1,000	1,000	1,000
Georgia	1,000	1,000	1,000	1,000	1,000
Idaho	1,000	1,000	1,000	1,000	1,000
Illinois	1,000	1,000	1,000	1,000	1,000
Indiana	1,000	1,000	1,000	1,000	1,000
Iowa	1,000	1,000	1,000	1,000	1,000
Kansas	1,000	1,000	1,000	1,000	1,000
Kentucky	1,000	1,000	1,000	1,000	1,000
Louisiana	1,000	1,000	1,000	1,000	1,000
Maine	1,000	1,000	1,000	1,000	1,000
Maryland	1,000	1,000	1,000	1,000	1,000
Massachusetts	1,000	1,000	1,000	1,000	1,000
Michigan	1,000	1,000	1,000	1,000	1,000
Minnesota	1,000	1,000	1,000	1,000	1,000
Mississippi	1,000	1,000	1,000	1,000	1,000
Missouri	1,000	1,000	1,000	1,000	1,000
Montana	1,000	1,000	1,000	1,000	1,000
Nebraska	1,000	1,000	1,000	1,000	1,000
Nevada	1,000	1,000	1,000	1,000	1,000
New Hampshire	1,000	1,000	1,000	1,000	1,000
New Jersey	1,000	1,000	1,000	1,000	1,000
New Mexico	1,000	1,000	1,000	1,000	1,000
New York	1,000	1,000	1,000	1,000	1,000
North Carolina	1,000	1,000	1,000	1,000	1,000
North Dakota	1,000	1,000	1,000	1,000	1,000
Ohio	1,000	1,000	1,000	1,000	1,000
Oklahoma	1,000	1,000	1,000	1,000	1,000
Oregon	1,000	1,000	1,000	1,000	1,000
Pennsylvania	1,000	1,000	1,000	1,000	1,000
Rhode Island	1,000	1,000	1,000	1,000	1,000
South Carolina	1,000	1,000	1,000	1,000	1,000
South Dakota	1,000	1,000	1,000	1,000	1,000
Tennessee	1,000	1,000	1,000	1,000	1,000
Texas	1,000	1,000	1,000	1,000	1,000
Vermont	1,000	1,000	1,000	1,000	1,000
Virginia	1,000	1,000	1,000	1,000	1,000
Washington	1,000	1,000	1,000	1,000	1,000
West Virginia	1,000	1,000	1,000	1,000	1,000
Wisconsin	1,000	1,000	1,000	1,000	1,000
Wyoming	1,000	1,000	1,000	1,000	1,000